IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 5050 of 2005
Date of Decision: 07.09.2006

Smt.Rohini Sharma ...Petitioner

Vs.

Satya Sharma and Ors. ...Respondents

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.Bijender Dhankar, Advocate,
for the petitioner.

Mr.Surender Sachdeva, Advocate,
for the respondents.

Vinod K.Sharma, J. (Oral)

The present revision petition has been filed against the order dated 17.8.2005 passed by the learned Additional District Judge, Sonepat vide which the custody of the minor child was given to the maternal grand-mother Smt.Satya Sharma.

This Court vide order dated 2.12.2005 was pleased to direct the respondent to bring the child in Court on 16.12.2005. The said order was not complied with on the plea that the School had not granted leave

to the child where she was studying. The respondent undertook to bring the child on the next date of haring i.e. 6.1.2006. The said order was not complied again. On 8.8.2006 and the following order was passed:

> " The respondents herein had undertaken to produce the child on the next date of hearing which was fixed for 6.1.2006.
>
> Counsel for the respondent states that the child was brought, however, as the turn did not come,she could not be produced in court. He undertakes to produce the child on the next date of hearing.
>
> Adjourned to 7.9.2006. on the said date, the petitioner is also directed to be present in the court and the respondent is directed to produce the child."

In view of the specific directions given by this Court the respondent has failed to comply with the order and not produced the child. Rather they have got the main petition dismissed as not pressed. Consequently, the respondents have no right to custody of the child in the presence of natural guardian i.e. the mother.

Disposed of with the direction that the custody of the child be handed over to the petitioner.

7.09.2006 (Vinod K.Sharma)
rp Judge